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APPLICATION NO.	F	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/601,359	10/601,359 06/23/2003		Isbay Kedem	bay Kedem E30-030CIPBRD 7458	7458	
34021	7590	09/14/2005		EXAM	EXAMINER	
GEORGE		BSTER	KIM, HONG	KIM, HONG CHONG		
40 BEACH SUITE 303			ART UNIT	PAPER NUMBER		
MANCHES	STER, MA	A 01944	2186			
				DATE MAILED: 09/14/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Editablicate of the maye be available under the proteins of 37 CFR 1.13(e). In or event, however, may a reply be timely filed of the 3X (5) MONTHS form the making date of this communication. Fallete brey within the sat or candende private for reply will, by status, cause the application to become ABADONED (39 U.S. C. 1330). Any reply received by the Office later than three ments after the making date of this communication, even if timely filed, may reduce any canden patter that adjustment. See 37 CFR 1.70(b). Status 1) Responsive to communication(s) filed on <u>08 January 2005.</u> 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) <u>1-8</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) <u>1-8</u> is/are allowed. 6) Claim(s) <u>1-8</u> is/are allowed. 6) Claim(s) <u>1-8</u> is/are allowed. 7) Claim(s) is/are allowed. 7) Claim(s) is/are objected to. 8) The specification is objected to to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on <u>10 November 2003</u> is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.12(d). 11) The coath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) Al	⁽²⁾								
## Examinar ## Hong C. Kim ## 2188 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. ### IN PROPERTY OF THE PROPERTY OF THE MAILING DATE OF THIS COMMUNICATION. ### IN PROPERTY OF THE PROPERTY OF THE PROPERTY OF THIS COMMUNICATION. ### IN PROPERTY OF THE PROPERTY OF THE PROPERTY OF THIS COMMUNICATION. ### IN PROPERTY OF THE PROPERTY OF THE PROPERTY OF THIS COMMUNICATION. ### IN PROPERTY OF THE PROPERTY O			Application No.	Applicant(s)					
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	3) Information Disclosure Sta	atement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal P						

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Detailed Action

1. Claims 1-8 are presented for examination. This office action is in response to the application filed on 6/23/03.

2. Applicants are requested to update the status of the related U.S. patent application referred on page 1 in the application filed (i.e. application Serial Nos. 10/073,738), accordingly (e.g., U.S. Patent Application Serial No. ##/###,### filled Sept. 07, 1990, now abandoned; ..., now U.S. Patent #,###,### issued Jan. 01, 1994; or This application is a continuation of Serial Number ##/###, filed on December 01, 1990, now abandoned; ...etc.). Also applicants are requested to include the status of the related U.S. applications or patents in the CROSS-REFERENCE TO RELATED APPLICATIONS section and in any other corresponding area in the specification.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 9/30/03 is being considered by the examiner.

Claim Objections

4. Claims 1 –8 are objected to because of the following informalities:

As to claim 1, in line 6, "a" should be deleted before "second" for clarity. In line 8, -
from-- should be added before "the storage". In line 9, it appears that –the—should be added after "to". In line 26, it appears that "the" should be deleted before "information".

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As to claim 5, in line 2, "the processing" should be changed to –a processing--. In line 5, --a—should be added before "first" for clarity. In line 8, "the" should be deleted after "identifying". In line 14, it appears that –destination—should be added before "storage". Appropriate correction is required.

DOUBLE-PATENTING

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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6. Claims 1-8 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 6,363,385 and claims of 1-28 of U.S. application No. 10/073,708. Claims of patent No. 6,363,385 and application 10/073,708 contain every element of claims 1-8 of the instant application and as such anticipates claims 1-8 of the instant application.

This is a <u>provisional</u> obviousness-type double patenting rejection (10/073,708 only) because the conflicting claims have not in fact been patented.

Allowable Subject Matter

7. Claims 1-8 are allowable if overcome double patenting rejections and claim objections.

Conclusion

- 8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892.
- 9. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).

10. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. ' 1.111(c).

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- 11. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.
- 12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Kim whose telephone number is (571) 272-4181. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 whose telephone number is (571) 272-2100.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

14. Any response to this action should be mailed to:

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

or faxed to TC-2100: 571-273-8300

Hand-delivered responses should be brought to the Customer Service Window (Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

HK

Primary Patent Examiner

September 6, 2005